



DEPARTMENT OF THE ARMY  
UNITED STATES ARMY LEGAL SERVICES AGENCY  
901 NORTH STUART STREET  
ARLINGTON VA 22202-1837

REPLY TO  
ATTENTION OF

November 5, 2009

Commissioner of Patents and Trademark  
U.S. Patent and Trademark Office  
ATTN: Licensing and Review  
4-10C-34  
Washington, D.C. 20231

Dear Sir:

The following identified application has been examined by representatives of the Armed Services Patent Advisory Board, under the provisions of 35 USC. 181.

U.S. Patent Application Serial No. 10/584,563  
Filed: 5/31/2007  
Inventor(s): Fredrik Olsson  
Title: Device for Generation of Microwaves

This is to notify you in accordance with 35 USC 181 that the publication or disclosure of the invention by the granting of a patent therefore would be detrimental to the national security.

The above application is modified to permit disclosure to such extent as may be duly authorized under any order issued by the Sweden patent office restricting disclosure of the subject matter.

It is accordingly requested that you order that the invention be kept secret and withhold the grant of a patent for such period as the national interest requires.

It is further requested that Secrecy Order No. 2 issue. The security classification of this application is secret. Please send two copies of the Secrecy Order to Sweden.

Sincerely,

A handwritten signature in black ink, reading "Alan P. Klein", is positioned below the "Sincerely," text.

Alan P. Klein  
Intellectual Property  
Counsel of the Army

U.S. ARMY  
Intellectual Property Office  
Facsimile Transmission Cover Sheet

JALS-IP

TO:

KATIE OSBORNE  
LICENSING + REVIEW - PTD

FAX NUMBER:

571-273-0314

PHONE NUMBER:

571-272-6617

FROM:

ALAN KLEIN - (703) 696-8113  
HERBERT C. ROSE - (703) 696-8121  
SCOTT CHAFIN - (703) 696-8119  
DIANE R. WINTER - (703) 696-8124  
BARBARA M. RAMSEY - (703) 696-8120

SUBJECT:

SECURITY ORDERS

MESSAGE/COMMENTS:

RES CND

TELEPHONE: (703) 696-8120  
DSN: 426-8120

FAX: (703) 696-2960  
DSN: 426-2960

PAGES:

4

plus cover sheet

**Klein, Alan P Mr CIV USA OTJAG**

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**From:** Carone, Michael [Michael.Carone@USPTO.GOV]  
**Sent:** Thursday, November 05, 2009 9:38 AM  
**To:** Klein, Alan P Mr CIV USA OTJAG  
**Subject:** 10584563

Alan, you fax in a SO for this case as well as a recission and removal of the markings. Just wanted to be sure we know what to do. Which is it. This is the foreign case Katie discussed with you yesterday.

**FMV**

Datum/Data

September 23, 2009

FMV beteckning/Our file code

P 09-083:8SE/H28

P 07-078:8/H19

Sida 1  
(1)

Armed Services Patent Advisory Board  
Att.: Ms. Linda Lewis  
Department of the Army  
United States Army Legal Services Agency  
Suite 500  
901 N. Stuart Street  
Arlington VA 22203  
USA

Er referens/Your reference

Er datum/Your date

Er beteckning/Your file code

FMV tjänsteställe, handläggare/Our reference

FMV föreg. datum/Our previous date

FMV föreg. beteckning/Our previous file code

Dag Hedefält  
dag.hedefalt@fmv.se

Classified Swedish Patent Application No. 0601210-8  
Corresponding US Patent Application No. 10/584563

With reference to our letter of 4 June 2009 and further correspondence,  
please be informed that the secrecy order on the above mentioned Swedish  
patent application has been rescinded.

Would you please inform us when the corresponding US patent application  
has been declassified.

Yours faithfully,

FÖRSVARETS MATERIELVERK  
Patentenheten

Dag Hedefält

**Klein, Alan P Mr CIV USA OTJAG**

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**From:** dag.hedefalt@fmv.se  
**Sent:** Thursday, October 29, 2009 10:56 AM  
**To:** Klein, Alan P Mr CIV USA OTJAG  
**Subject:** SV: Unclear instructions  
**Attachments:** FUL-Avhemligandefråga US 06-100 H30.DOC; FUL-Avhemligandefråga US 06-101 H31.DOC; document2009-07-27-085047.pdf

#1

Dear Mr. Klein:

As there were no longer any reason to keep the closely related Swedish patent applications 0601209-0 and 0601210-8 (the respective counterpart being US 10/584,560 and 10/584,563) secret from a Swedish perspective we asked you, in accordance with the Agreement between the United States of America and Sweden, by letter of June 4 whether there were any specific US reasons for us not to rescind the secrecy order, please cf. enclosure.

In accordance with the Agreement we indicated that we would assume that you had no objections if you did not respond by August 10. For reasons un-known to us, you answered (no objection) only regarding one of the cases, viz. 0601210-8.

Based on the above we rescinded the secrecy order on both Swedish patent applications and there is therefore no longer any reason to keep the US applications secret as seen from the perspective of the Swedish Government/Swedish Defence. We would assume that you therefore would rescind the US secrecy order. It is however not for us to tell you how to handle US secrecy law. The fact is that the secrecy in USA can no longer rely on a request from Sweden based on the Agreement.

Sincerely,  
Dag Hedefält

Head of Patents, M.Sc.  
European Patent Attorney  
European Design Attorney  
Försvarets Materielverk  
Patents  
SE-115 88 Stockholm, Sweden  
tel +46 8 782 5791  
fax +46 8 782 5885

-----Ursprungligt meddelande-----

Från: Klein, Alan P Mr CIV USA OTJAG [mailto:alan.p.klein@us.army.mil]

Skickat: den 29 oktober 2009 13:47

Till: Hedefält, Dag dahed

Ämne: Unclear instructions

Your instructions for U.S. Patent Application No. 10/584563 (counterpart of Swedish patent application No. 0601210-8) provided in your letter of September 23, 2009, are not clear. Do you want the secrecy order rescinded and the markings removed?

**Klein, Alan P Mr CIV USA OTJAG**

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**From:** Klein, Alan P Mr CIV USA OTJAG  
**Sent:** Thursday, October 29, 2009 8:47 AM  
**To:** 'dag.hedefalt@fmv.se'  
**Subject:** Unclear instructions

Your instructions for U.S. Patent Application No. 10/584563 (counterpart of Swedish patent application No. 0601210-8) provided in your letter of September 23, 2009, are not clear. Do you want the secrecy order rescinded and the markings removed?



REPLY TO  
ATTENTION OF

**DEPARTMENT OF THE ARMY**  
**UNITED STATES ARMY LEGAL SERVICES AGENCY**  
901 NORTH STUART STREET  
ARLINGTON VA 22202-1837

October 28, 2009

Intellectual Property Office

Commissioner of Patents and Trademarks  
U.S. Patent and Trademark Office  
Attn: Licensing and Review  
3-11C-17  
Washington, D.C. 20231

Dear Sir:

The following identified application is under an order of secrecy in accordance with the provisions of 35 USC 181:

U.S. Patent Application Serial No. 10/584,563  
Filed:  
Inventor(s):  
Title:

It is now recommended that the secrecy order be rescinded **and the markings be removed.**

Sincerely,

A handwritten signature in black ink, appearing to read "Alan P. Klein", is written over the printed name.

Alan P. Klein  
Intellectual Property  
Counsel of the Army



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U.S. Patent Application Serial No. 10/584,563  
Filed:  
Inventor(s):  
Title:

It is now recommended that the secrecy order be rescinded **and the markings be removed.**

Sincerely,

A handwritten signature in cursive script that reads "Alan P. Klein".

Alan P. Klein  
Intellectual Property  
Counsel of the Army